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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,163	12/20/2000	David J. Luman	10002874	9684

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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Fort Collins, CO 80527-2400

EXAMINER

PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/742,163	Applicant(s) LUMAN, DAVID J.	
	Examiner Thierry L. Pham	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 7/19/05.
- Claims 1-20 are pending in application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sperry et al (US 5995723), and in view of Lamming et al (US 5862321).

Regarding claim 1, Sperry discloses a printing system (network printing system, fig. 1) product comprising:

- initiating software (initiating a print request via a printer driver 32 that is incorporated within work station 15, fig. 2, figs. 6-7) configured to direct an initiating (work station 15, fig. 2) to receive a print request (print job from application program 30, fig. 2, fig. 6-7) including a notification request (notification status report as shown in fig. 7), and in response, to transfer a corresponding print job with notification instructions to a printing device (transfer print job status request from workstation to printer via a network, fig. 1);
- a processor-readable storage media (inherently, work station 15 includes a storage device for storing printer driver 32) that stores the initiating device.

However, Sperry does not disclose wherein the wireless notification instructions are configured to direct printing device to transfer a print job status over a wireless link to a wireless receiver that is different from the initiating device, that is, it fails to teach and/or suggest printers 12 can be communicate with wireless device (PDA) for receiving job notification status.

Lamming, in the same field of endeavor for printing system (network printers, fig. 1), teaches wireless notification instruction are configured to direct printing device to

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transfer a print job status over a wireless link (multi-functional fax machine 31 sends a print job completion status to PDA via a wireless bi-directional communication network, fig. 6a-6b, col. 9, lines 20-27) to a wireless receiver that is different from the initiating device.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Sperry as per teachings of Lamming so that printers of Sperry's system can communicate with wireless device, e.g., PDA and/or cellular phones because of a following reason: (●) the system allows users/operators to receive the print job status (i.e. job completion and/or errors) via a wireless device (i.e. PDA and/or cellular phone) rather than have to wait at the work station to assure the print job is properly performed; therefore, it increases flexibility and productivity of the users.

Therefore, it would have been obvious to combine Sperry with Lamming to obtain the invention as specified in claim 1.

Regarding claim 2, Lamming further discloses the printing system product of claim 1 wherein the initiating software is configured to direct the initiating device to collect an identification of the wireless receiver (all PDAs had its identification number, i.e., Richard's PDA, col. 9, lines 10-26).

Regarding claim 3, Sperry further discloses the printing system product of claim 1, wherein the initiating software is configured to direct the initiating device to collect a selection to either include or exclude print job completion (events, fig. 7) in the print job status.

Regarding claim 4, Sperry further discloses the printing system product of claim 1, wherein the initiating software is configured to direct the initiating device to collect a selection to either include or exclude print job problems (events, fig. 7) in the print job status.

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Regarding claims 5-10 recite the limitations that are in the same scope of invention of claims 1-4, therefore, rejection rationale/basis as described in claims 1-4 also apply to claims 5-10. Please note, claim 5 is referring to “control software” that is incorporated within the printer for sending the wireless notification to wireless device. Obviously, multi-functional fax machine as shown in fig. 6a of Lamming includes a computer software (plurality of instructions) for communicating with wireless device.

Regarding claims 11-18, claims 11-18 are the method claims corresponding to the apparatus claims 1-4. The methods are included by the operation of the apparatus. Please see claims rejection basis/rationale as described in claims 1-4 above.

Regarding claims 19-20, Lamming also teaches a wireless receiver is a personal assistant and wireless mobile phone (PDA, fig. 2 and mobile phone, col. 11, line 38).

Response to Arguments

Applicant's arguments filed 7/19/05 have been fully considered but they are not persuasive.

- Regarding claim 1, the applicant argued the cited prior art of record (US 5995723 to Sperry) fails to teach any indication anywhere in Sperry that the printer receives notification instruction along with a specific print job to email the user when the print job is completed.

In response, Sperry teaches a user interface as shown in fig. 7 allowing users to select notification attribute for print job for selected printer (e.g. QMS 2060). Selected attributes and print job are both transmitted to designated printer (col. 5, lines 53-59 and col. 8, lines 25 to col. 9, lines 42). A returned status can be sent via email and/or screen (fig. 7). Since both client computer and printing device are communicated via bi-directional communication system; therefore, any error and/or failures within a printing device can be communicated to the client computer, which is also known in the art (see US 6583886 and US 6025925 for example illustration).

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- Regarding claim 1, the applicant argued the cited prior art of record (US 5862321 to Lamming) does not state which device actually communicates the print request to the printer.

In response, as shown in fig. 1, both PDA 16 and host computer 21 connected in a printing network can communicate the print request to the printer. As shown in fig. 6b, document A is generated from workstation 21 and then sends to multi-functional fax machine 38, and further communicates with PDA 16. Since communication between multi-functional fax machine 38 and PDA 16 is widely known and available in the art, one of ordinary skill would modify user interface (fig. 7) of Sperry to include a selection box for wireless notification to be sent to PDA devices in addition to "Mail" and "Screen" notification method as shown in fig. 7.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. 6240445 to Kumar et al discloses a printer communicating with cellular phone for receiving messages from printer via a wireless network.
- U.S. 6430601 to Eldridge et al discloses a printer communicating with cellular phone for transferring and receiving documents via wireless network.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

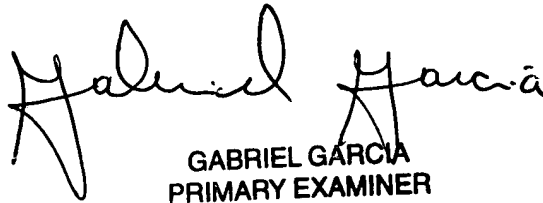
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham


GABRIEL GARCIA
PRIMARY EXAMINER